

# **EXHIBIT A**

CIVIL COURT OF THE CITY OF NEW YORK ..  
COUNTY OF NEW YORK

Index No. 03269-2018

DENISE N. JEREZ,

Plaintiff,

-against-

JOSEPH A. ALTMAN, P.C.

Defendant.

SUMMONS

Plaintiffs Residence:  
117 E. 101 Street, Apt. 2E  
New York, NY 10029

Defendant's Residence:  
851 Bruckner Blvd.  
Bronx, NY 10459

The basis of the venue  
is Plaintiff's address

To the above named defendant:

YOU ARE HEREBY SUMMONED to appear in the Civil Court of the City of New York, County of New York at the office of the Clerk of the said Court at 111 Centre Street in the County of New York and State of New York, within the time provided by law as noted below and to file your answer to the annexed complaint with the Clerk; upon your failure to answer, judgment will be taken against you for the sum of \$ 12,000.00 with interest thereon from the 16<sup>th</sup> day of February, 2017, together with the costs of this action.

NOTE: The law provides that:

(a) If this summons is served by its delivery to you personally within the City of New York, you must appear and answer within TWENTY days after such service; or (b) if this summons is served by delivery to any person other than you personally, or is served outside the City of New York, or by publication, or by publication, or by any means other than personal delivery to you within the City of New York, you are allowed THIRTY days after the proof of service thereof is filed with the Clerk of this Court, within which to appear and answer.

Dated: February 15, 2018

New York, New York

Jonathan Cohen, Esq.  
Attorney for Plaintiff  
575 Main Street Apt. 706  
New York, NY 10044  
(646) 236-4064  
[Jcohen1947@yahoo.com](mailto:Jcohen1947@yahoo.com)

TO: Joseph A. Altman, P.C.  
851 Bruckner Blvd.  
Bronx, NY 10459

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

DENISE N. JEREZ,

Plaintiff,

Index No. 03269-2018

-against-

AMENDED  
COMPLAINT

JOSEPH A. ALTMAN, P.C.,

Defendant.

DENISE N. JEREZ, complaining by and through her attorney, Jonathan Cohen, says:

1. This is an action for damages brought by an individual consumer for Defendants' violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. §1692, et seq. (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.
2. Jurisdiction in this forum is proper pursuant to 15 U.S.C. §1692k(d).
3. The Plaintiff's residence is in the City of New York, County of New York, State of New York, and venue in this forum is therefore proper.
4. DENISE N. JEREZ is an individual who resides in 117 E. 101<sup>st</sup> Street in the City of New York, County of New York, State of New York.
5. JOSEPH A. ALTMAN, P.C., is a professional corporation duly formed and operating under the laws of the State of New York.
6. JOSEPH A. ALTMAN, P.C., is at all relevant times herein, a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "consumer debt," as defined by 15 U.S.C. §1692a(5). JOSEPH A. ALTMAN P.C. regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by FDCPA, 15 U.S.C. §1692a(6). Such attempt to collect debts makes up the a majority of the

Defendant's business. Defendant files more than one hundred of debt collection petitions in the housing courts of New York City and debt collection actions in the civil courts of the City of New York every year, including 2014, 2015, 2016, 2017 and 2018. Upon information and belief, JOSEPH A. ALTMAN P.C. regularly collects the rental payments and past due payments of consumers, as consumers are directed to pay their debt to their landlord directly to JOSEPH A. ALTMAN P.C.

7. The attorney Joseph Alan Altman a/k/a Joseph A. Altman ("Altman") is the President of Defendant. Altman regularly files petition in the housing courts using his name as the Petitioner's attorney, but when he does so, it is on behalf of the Defendant professional corporation. Altman and Defendant professional corporation are alter egos.

8. On February 16, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, served the Plaintiff with a demand for money that was outside the statute of limitations.

9. On or about March 15, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, served the Plaintiff with a demand for money that was outside the statute of limitations, by serving a notice of petition.

10. On April 12, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

11. On June 6, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

12. On July 18, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

13. On August 2, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

14. On August 30, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

15. On October 6, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

16. On November 3, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

17. On December 12, 2017, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

18. On January 25, 2018, Defendant, acting as the attorney for 117 E. 101 Street HDFC, appeared in the housing court, and demanded payment from Plaintiff for money that was outside the statute of limitations.

19. On each of these occasions, Defendant violated FDCPA through a) Engaging in conduct the natural consequences of which is to harass, oppress, or abuse Plaintiff (15 U.S.C. § 1692d);

b) falsely representing that the debt which was beyond the statute of limitations was valid and owed (15 U.S.C. § 1692e(2)); c) Using unfair or unconscionable means against Plaintiff in connection with an attempt to collect a debt (15 U.S.C. § 1692f).

20. Each and every time that Plaintiff appeared in court, the Defendant demanded that she pay an unauthorized debt. That unauthorized debt consisted of about \$35,000 and caused the plaintiff emotional grief and consternation.

21. As a result of the above violations of the FDCPA, Plaintiff suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Actual damages;
- B. Statutory damages for willful and negligent violations on each of eleven occasions, which amounts to \$12,000;
- C. Costs and reasonable attorney's fees; and
- D. For such other and further relief as may be just and proper.

Dated: February 15, 2018

Jonathan Cohen, Esq.  
Attorney for Plaintiff  
575 Main Street Apt. 706  
New York, NY 10044  
(646) 236-4064  
[Jcohen1947@yahoo.com](mailto:Jcohen1947@yahoo.com)

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

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DENISE N. JEREZ,  
Plaintiff,

Index No. 03269-2018

against- COMPLAINT

JOSEPH A. ALTMAN, P.C.,

Defendant.

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SUMMONS AND COMPLAINT

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